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Gideon Whittingham Esq.
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London
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By letter and e-mail

1st September 2015

Dear Mr. Whittingham,

Re: Grove Lodge Planning Applications
2015/4485/P and 2015/4555/L

We refer to our objection to the above applications dated 26th August 2015. You will see from paragraph 2(2) of the same that we (together with the owners of Terrace Lodge being the two immediate neighbours to this proposed development) propose to serve reports from two consultants (Michael de Freitas of First Steps and Michael Eldred of Eldreds, both with very distinguished qualifications and experience) in relation to the underground structure proposed and the Basement Impact Assessment (BIA) produced by the Applicants consultants.

Having seen drafts of both reports referred to we know that they will be extremely critical of the process undertaken in the BIA regarding the proposed works as being dangerous or unsafe in relation to the structure of our own properties. This is, of course, of the utmost concern to us. You will be aware that in relation to the previous application Dr. de Freitas described the proposed works then as being inter alia "dangerous". That application was withdrawn and a new application now made relying on different proposed works but still based upon the results of the original investigations.

We note in the new BIA a reference to it having been "audited" at the pre application stage by the firm of Campbell Reith, and that BIA refers to a further future "independent audit" after the application has gone in.

We understand from Dr. de Freitas and others that it has been Camden's very recent practice in these audits to commission them on the basis that the only material to be considered is that put in by the Applicant in the form of the BIA and that any consultants technical report or reports put in on behalf of objectors is not shown to them. That practice, as we are advised, does not accord with the rules of natural justice which Camden are obliged to abide by in considering and adjudicating upon these applications. We therefore need to ask you the following:

- (1) In consequence of the above practice are we to understand that Campbell Reith were not shown or given the First Steps Report filed on behalf of objectors in the first application?
- (2) Who is it proposed should conduct an "independent audit" at the concluding stage of the application? Clearly it should not be Campbell Reith again. They have already committed themselves (and subject to your answer at (1) above on the basis of what we and our advisers consider to be misleading and incomplete information) and can hardly be regarded as in a position now to form an independent view. As indicated in our objection (paragraph 2(2)) we would be content if you were to choose a firm from say five of the most respected engineering hydrologists and geotechnical engineers in the country
- (3) Finally, and most significantly, to ensure that this process complies with Camden's duty to conduct it in accord with the rules of natural justice, we seek your undertaking that any such firm should have available to it in addition to the BIA produced on behalf of the applicants any other consultants reports of a technical nature lodged in support of objections to the applications and shall give a written summary as to its conclusions.

We need your clear response one way or the other to the three matters set out above. If you do not or cannot give the assurances required within the period of five days from the date of this letter we shall have no alternative but to seek an order from the court requiring you to do so. You will appreciate the time constraints that you have imposed upon us including that represented by your e-mail of 28th August 2015.

Yours sincerely,

John and Pascal Gardiner

cc: Councillor Tom Currie [REDACTED]
Hampstead Conservation Area Advisory Committee [REDACTED]